Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Use of Spectrum Bands Above 24 GHz For Mobile Radio Services	)	GN Docket No. 14-177
	)	
Establishing a More Flexible Framework to Facilitate Satellite Operations in the 27.5-28.35 GHz and 37.5-40 GHz Bands	)	IB Docket No. 15-256
	)	
Petition for Rulemaking of the Fixed Wireless Communications Coalition to Create Service Rules for the 42-43.5 GHz Band	)	RM-11664
	)	
Amendment of Parts 1, 22, 24, 27, 74, 80, 90, 95, and 101 To Establish Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules And Policies for Certain Wireless Radio Services	)	RM-10-112
	)	
Allocation and Designation of Spectrum for Fixed-Satellite Services in the 37.5-38.5 GHz, 40.5-41.5 GHz and 48.2-50.2 GHz Frequency Bands; Allocation of Spectrum to Upgrade Fixed and Mobile Allocations in the 40.5-42.5 GHz Frequency Band; Allocation of Spectrum in the 46.9-47.0 GHz Frequency Band for Wireless Services; and Allocation of Spectrum in the 37.0-38.0 GHz and 40.0-40.5 GHz for Government Operations	)	IB Docket No. 97-95

VERIZON'S PARTIAL OPPOSITION TO COMPETITIVE CARRIERS ASSOCIATION'S PETITION FOR RECONSIDERATION

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The Commission should reject the Competitive Carriers Association's request to revise the July 2016 order to add an in-band spectrum aggregation limit to the overall millimeter wave limit the Commission adopted.[1] No party provided evidence supporting the need for *any* type of spectrum aggregation limit. Verizon showed that the overall limit that the Order established risks quashing innovation and investment in nascent 5G services.[2] But CCA's proposed reconsideration would go even farther in the wrong direction; it would destroy the Commission's attempt to ensure that "providers will be able to access a sufficient amount of mmW spectrum to facilitate the deployment of new services and innovation that will benefit consumers."[3]

CCA's petition fails to meet the governing standard for reconsideration: demonstrating a material error or omission in the underlying order or raising additional facts not previously known or that the Commission failed to consider.[4] It does not even attempt to meet that standard. Just as in the comment phase of this proceeding, CCA still produces no economic evidence for its assertion that an individual band could theoretically be "monopolized" in a way that harms other carriers (who, under the current rules, have *guaranteed* access to other mmW bands).[5] And the Commission specifically considered and rejected CCA's unsupported argument, finding that the interchangeability of the 28 GHz, 37 GHz, and 39 GHz bands obviates any potential rationale for an in-band aggregation limit.[6]

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[1] Petition for Reconsideration of Competitive Carriers Association, GN Docket No. 14-177 *et al.*, filed Dec. 14, 2016 ("CCA Petition") at Section V. Verizon does not take issue with the rest of CCA's petition.
[2] *See, e.g.*, Letter from Gregory M. Romano, Verizon, to Marlene H. Dortch, FCC, GN Docket No. 14-177, filed June 24, 2016.
[3] Use of Spectrum Bands Above 24 GHz for Mobile Radio Services, GN Docket No. 14-177, *Report & Order*, 31 FCC Rcd. 8014, FCC-16-89, ¶ 187 (2016) ("*Report & Order*").
[4] 47 C.F.R. § 1.106(c); *see* Griffin Licensing, L.L.C., *Memorandum Opinion and Order*, 29 FCC Rcd 9680 (2014).
[5] *See* CCA Petition at 12.
[6] *Report & Order*, ¶ 186.

The Commission routinely denies reconsideration requests that, like CCA's request for in-band aggregation limits, are nothing more than restatements of arguments previously made and rejected.[7] It should do so here.

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Respectfully submitted,

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[7] *See*, *e.g.*, Amendment of Section 73.202(b), MM Docket No. 01-229, *et al*., *Memorandum Opinion and Order*,¶ 8 (2014).